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FURTHER CORRESPONDENCE

RESPECTING THE

REVISION OF THE COMMERCIAL TREATY

BETWEEN

GREAT BRITAIN AND TURKEY.

[In continuation of Confidential Paper No. 5411.]

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1887.

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CONFIDENTIAL.

Further Correspondence respecting the Revision of the Commercial Treaty between Great Britain and Turkey.

[In continuation of Confidential Paper No. 5411.]

No. 1.

Sir W. White to the Earl of Iddesleigh.—(*Received January* 17.)

(No. 3. Commercial.)

Constantinople, January 8, 1887.

My Lord,

WITH reference to the inquiries made by the Leeds Chamber of Commerce on the 18th December, which your Lordship was pleased to refer to me in your despatch No. 103, Commercial, dated the 24th December, 1886, I have the honour to report that the alterations from *ad valorem* to specific duties therein referred to are to be found in the new projected Ottoman Tariff under Chapter No. 86, and that Mr. Consul Wrench was authorized to sign the said Tariff, and did so on the 9th July, 1885, and that this was approved by the Marquis of Salisbury's despatch No. 73, Commercial, of the 31st July, 1885.

I have, &c.
(Signed) W. A. WHITE.

No. 2.

The Marquis of Salisbury to Sir W. White.

(No. 6. Commercial.)

Foreign Office, January 21, 1887.

Sir,

I TRANSMIT herewith, for your Excellency's information, a copy of a letter which, upon the receipt of your despatch No. 3, Commercial, of the 8th instant, I have caused to be addressed to the Leeds Chamber of Commerce.*

I have to request that you will ask Mr. Wrench to correct the accompanying copy of the proposed new Turkish Tariff by inserting in it any alterations agreed upon by the Delegates of the Porte in negotiation with those of foreign Powers subsequently to the date when he last revised it.

I have also to request your attention to the statement in my despatch No. 73, Commercial, of the 31st July, 1885, as to the importance that sufficient notice should be given to the trade of this country of the date when it is finally settled that the new Tariff shall come into force.

I am, &c.
(Signed) SALISBURY.

* No. 3.

No. 3.

Foreign Office to Leeds Chamber of Commerce.

Sir, *Foreign Office, January* 21, 1887.

WITH reference to the letter from this Office of the 24th ultimo, I am directed by the Marquis of Salisbury to state, for the information of the Leeds Chamber of Commerce, that it is the intention of the Turkish Government to change the present temporary *ad valorem* to specific duties, as was explained by Mr. Consul Wrench at the meeting held at Leeds on the 26th September, 1883.

No date is yet fixed for the new Tariff to come into operation, the change of Tariffs depending (as was also explained at the meeting referred to) upon negotiations in which the Porte is engaged with other foreign countries as well as with Great Britain. These negotiations are not yet concluded, and, therefore, the rates of duty in the proposed new Tariff are not yet finally settled.

I am, &c.
(Signed) JAMES FERGUSSON.

No. 4.

Sir W. White to the Marquis of Salisbury.—(*Received February* 16.)

(No. 19. Commercial.)
My Lord, *Constantinople, February* 7, 1887.

IN conformity with the instructions contained in your Lordship's despatch No. 6, Commercial, of the 21st ultimo, I communicated to Mr. Wrench your desire that he should correct the copy of the proposed new Turkish Tariff, which was inclosed in your above-mentioned despatch, by inserting in it any alterations agreed upon by the Delegates of the Porte in negotiation with those of foreign Powers subsequently to the date when he (Mr. Wrench) last revised it.

I beg to inclose copy of a despatch which Mr. Wrench has now addressed to me, in which he explains that it would be misleading were he to introduce any alterations in the Tariff which he has signed before the Delegates of at least the three most interested Powers have concluded their negotiations.

Mr. Wrench points out that in the 44th Protocol, of the 9th July, 1885, he has reserved to himself this right.

I beg to submit that, in my opinion, the course proposed by Mr. Wrench is the best one to adopt, with a view to protecting British commercial interests in the present Tariff negotiations between the Porte and foreign Governments.

I have, &c.
(Signed) W. A. WHITE.

Inclosure in No. 4.

Consul Wrench to Sir W. White.

Sir, *Constantinople, July* 7, 1887.

I HAVE the honour to acknowledge your Excellency's communication inclosing Lord Salisbury's despatch of the 21st ultimo. I regret to say that it is not within my power to comply with the desire expressed in this despatch to the effect that I should insert in the copy of the new Turkish Tariff the alterations agreed upon by the Delegates of the Porte in negotiation with those of foreign Powers subsequent to the date of my last revision.

I should explain that I last revised the Turkish Tariff when I came to an ultimate agreement with my Ottoman colleagues with regard to various items upon which we had disagreed. When this agreement was come to I signed the Tariff and revised previously made copies of it.

The same mode will be followed by the European Delegates now negotiating, and it will not be until some one of them has signed the Tariff that the different items in dispute between his Government and the Porte can be considered as being in any way changed from the text of the Tariff signed by myself. Even then alterations made in favour of

one Power may be considered by the Delegates of some other Power as entitling him to demand reconsideration of the tax fixed for an article indirectly affected by the change. Thus, should the Porte reduce, to serve Austro-Hungarian interests, the duty upon ready-made clothing, I shall consider the tax on British cloth and other textiles from which clothing is made as susceptible of modification. The instance here given is one out of many.

I fear it would be misleading to introduce any alterations into the Tariff I have signed until at least the Delegates of Austria, France, and Italy, the three Powers most interested, have concluded their negotiations. When that time arrives I propose to consider carefully whether any of the alterations affect British trade, and to address to your Excellency a Report on the subject with a view of renewing negotiations to protect, if necessary, English goods. Your Excellency will remember that I made a reservation to this effect in the 44th Protocol of the Tariff negotiations (9th July, 1885) in the following words: "Mr. Wrench finit par déclarer que le Gouvernement de Sa Majesté Britannique accepte la rédaction actuelle du dit Tarif comme définitive à moins que des modifications ultérieures soient de nature à faire soulever des points spéciaux affectant les intérêts légitimes du commerce Anglais."

I have, &c.
(Signed) WILLIAM H. WRENCH.

No. 5.

The Marquis of Salisbury to Sir W. White.

(No. 16. Commercial.) *Foreign Office, February* 18, 1887.

Sir,

I HAVE to acknowledge the receipt of your Excellency's despatch No. 19, Commercial, of the 7th instant, and to state, in reply, that the explanation given therein as to the present position of the revision of the Turkish Tariff is satisfactory.

I concur in the course which Mr. Wrench and your Excellency suggest should be adopted in this matter.

I am, &c.
(Signed) SALISBURY.

No. 6.

Sir W. White to the Marquis of Salisbury.—(*Received July* 16.)

(No. 89. Commercial.) *Therapia, July* 12, 1887.

My Lord,

MR. WRENCH having informed me that he proposed shortly to avail himself of the leave of absence granted to him by your Lordship, I desired that, before his departure, he and Mr. Fane should furnish me with information as to the present position of the commercial negotiations, and I have the honour to transmit a statement which those gentlemen have in consequence addressed to me on the subject.

Your Lordship will perceive that, since several months, the negotiations are at a stand-still.

Our negotiators, acting upon their instructions, pressed their Ottoman colleagues to accede to the points subject to the acceptance of which Mr. Wrench was authorized to sign the 44th—or final—Protocol of the Tariff negotiations.

Although the Ottoman Delegates conceded some of the points in question, they were prevented by their instructions from yielding on others, among which was the important one stipulating for the abolition of the internal duty by sea of 8 per cent.

This being so, our Delegates at the last meeting which took place presented a Memorandum (also inclosed) detailing those points which had been agreed to and those which remained unconceded, and asking that their Ottoman colleagues would apply to the Porte for fresh instructions enabling them to comply in full with the conditions under which the Tariff was concluded.

No reply has up to the present date been made to this Memorandum, nor have the British Delegates received any invitation to resume the sittings at the Porte.

This holding back on the Ottoman side is no doubt partly owing to the fact that the

Minister of Finance, by whom the demands of our Delegates would have to be considered, has been twice changed since those demands were made.

It is, however, I suspect, mainly attributable to the Porte's desire to conclude the German Treaty before proceeding with our own. Although I have no positive information on the point, it is probable that the German negotiators have shown themselves more yielding than our Delegates seemed likely to be, and if this were so the Porte would naturally feel inclined to come to terms first with Germany, and then to offer for our acceptance the Treaty made with that Power.

On my side, I have not thought it desirable to make the first move towards a resumption of the negotiations. In the first place, an answer is still owing to the demands put forward by our Delegates; and, secondly, it is hardly for us to hasten the settlement of an arrangement by which the present import duties on British merchandize would be very considerably raised.

Meanwhile, I beg to submit to your Lordship's examination the accompanying draft for a new Convention which, in obedience to the instructions contained in your Lordship's despatch No. 77, Commercial, of the 5th August, 1885, I have asked Messrs. Fane and Wrench to draw up, and which they have done very ably, with the assistance of Mr. Dragoman Stavrides, and which I now have the honour of submitting for your Lordship's appreciation, with a view to its being used as a counter-project on resuming negotiations, in the form in which it may be ultimately approved and returned.

So far as I am aware, no other country except Germany and Great Britain has yet commenced negotiating with the Porte for a new Treaty of Commerce, and, indeed, hardly any Government besides the German and our own appears even to have terminated their negotiations respecting the Tariff. From this it might be concluded that there was no need for us to be in a hurry. But I am of opinion that we ought to be ready with our own proposals as soon as the German negotiations shall have come to an end. Otherwise we might find ourselves confronted with an Agreement accepted by one of the Great Powers, but perhaps unacceptable to ourselves, and yet be unprepared to put in a statement of what we require.

It is owing to the above consideration that I have the honour to submit the accompanying scheme, and I venture to request that your Lordship will favour me with your views and instructions concerning it, or else that I may be furnished with any other proposals which may be preferred for the purpose of being laid before the Porte.

I have, &c.
(Signed) W. A. WHITE.

Inclosure 1 in No. 6.

Mr. Fane and Mr. Wrench to Sir W. White.

Sir, *Constantinople, June 25, 1887.*

IN reply to your Excellency's desire to be furnished by us with information respecting the actual position of the commercial negotiations, we have the honour to state that for several months past we have received no invitation to meet the Ottoman Delegates appointed to confer with us in the matter.

At the last meeting which took place, as indeed was the case at each of the previous ones, the business was confined to debating the points reserved by Mr. Wrench in the 44th Protocol of the Tariff negotiations, for, following our instructions, we declined to enter upon the discussion of a new Treaty until an agreement should be come to respecting the conditions subject to which Her Majesty's Government authorized the conclusion of the Tariff.

The Ottoman Delegates acceded to some of the points thus left open in the 44th Protocol of the Tariff, but others they were obliged by their instructions to reject. These latter included the important ones demanding that the Customs Code of Regulations should be submitted to the approval of Her Majesty's Government, that the internal duty by sea (of 8 per cent.) should be abolished, and that the export duty (of 1 per cent.) should also be done away with.

In urging the demand that the Customs Regulations should receive the previous consent of Her Majesty's Government, we contended that if this were not done Her Majesty's Government would have no security against Regulations being enacted by which our traders would be compelled to submit to payment, in the form of fees or fines,

additional to the rates of duty specified in the Tariff, and therefore practically *pro tanto* augmenting those rates of duty.

To this the Turkish Representatives replied that there was no reason to fear any such thing happening, for it would be a breach of the Treaty, and therefore a thing that we could at any time object to, if the rates of duty agreed upon in the Tariff were increased, either directly or indirectly, in consequence of any administrative measure.

As regards the demand for the abolition of the internal duty by sea and of the export duty, the line of argument pursued by us was that the commercial business carried on between the two countries would be so largely augmented if these two impediments to trade were removed that the British trading public would to a great extent be compensated thereby for having under the new Tariff to pay far higher rates of import duty than formerly.

In short, the abandonment of these two imposts was, we insisted, the chief equivalent in return for which Her Majesty's Government had signified their acceptance of the Tariff.

Our Ottoman colleagues declared themselves to be entirely powerless, in view of their orders, to give way to any of the demands in question, and we thereupon presented to them a Memorandum (copy annexed) in which, after detailing the points that had been conceded and those that remained unconceded, and after also reciting the arguments used by us in support of our demands, we requested them to seek fresh instructions from the Porte enabling them to meet in full the wishes in the matter of Her Majesty's Government.

We thought it desirable to hand in this Memorandum for two reasons: first, it places on record certain definite concessions made by the Sublime Porte to the views of Her Majesty's Government; and, secondly, it affords an opening to the Ottoman Delegates, who are very enlightened men, to again approach their Government with the object of obtaining the abandonment of the export duty and of the internal duty by sea. In regard to the abolition of these duties, our colleagues confessed themselves to be at one with us in the opinion that their being done away with would be of great benefit to their own country as well as to Great Britain. "Vous prêchez aux convertis" was their expression when we dilated on the advantage that would result to Turkey from the abolition of these imposts, and indeed we have some reason for suspecting that the Ottoman Delegates were in reality not sorry that we pressed them to apply to their Government for a reconsideration of the matter.

No communication has yet been received by us in reply to our Memorandum, nor (as stated before) have we been asked to resume our sittings at the Porte.

Meanwhile, and in obedience to your Excellency's instructions, we have prepared a scheme for a draft Convention, which we have the honour to herewith submit to your Excellency's examination; and, for purposes of comparison, we also inclose the Ottoman draft Convention, which, as reported by us to your Excellency at the time, was at our first sitting handed to us "à titre d'étude" by the Turkish Commissioners.

As regards the Ottoman draft, it will be found to diverge so widely from the Treaty of 1861, and to involve such an inroad upon the Capitulations, as to render itself in most part unacceptable by Her Majesty's Government. Nevertheless, we have, in our own draft, introduced those portions of it which we thought might be considered admissible.

Our own draft Convention will, we think, be found to preserve the substance of the expired Treaty of 1861.

In its form, however, it is, for reasons which appear below, made to somewhat vary from the old Treaty, and it moreover contains additional provisions called for by the altered circumstances of the time.

It respects the susceptibilities of the Porte by according to Turkey, in every instance where this was feasible, reciprocity of treatment, and by securing for her an equal position with that of the most highly favoured nation. Concessions of this kind, coming from a free trade country such as Great Britain, are, it is true, ones rather of sentiment than of reality, but none the less are they calculated to gratify the sensitiveness of the Sultan, and thereby to render the Convention as a whole more likely to be accepted by the Porte.

The draft is very careful to maintain in precise terms the principle of the perpetuity of the Capitulations. This is a point to which we attach special importance.

The Ottoman Delegates frequently took advantage of the ambiguity of the language concerning the Capitulations which unfortunately occurs in Article I of the Treaty of 1861, in order to insinuate that Her Majesty's Government had by that instrument permanently surrendered certain immunities accorded to Great Britain by the Capitulations.

Your Excellency will also remember that the Porte in 1884 set up a pretension, which

however was immediately rebutted by Her Majesty's Government, that, owing to the expiration of the Treaty of 1861, the commercial privileges secured by the Capitulations to Great Britain, and referred to in that Treaty, had *ipso facto* become extinguished.

In the present draft Convention the course has been followed which was adopted by the framers of our Commercial Convention with Turkey of 1838, namely, that of defining by a preamble the scope of the Agreement. Your Excellency will observe that the preamble recites that the intention of the Convention is merely to modify, for the term of years specified therein, the clauses of the Capitulations concerning trade and navigation.

The other chief points wherein the Treaty of 1861 is amplified or modified by the present draft Convention are as follows:—

Articles I and II differ from those of the Treaty of 1861 by according reciprocity of treatment to Turkey.

The abolition of the present internal duty by sea and export duty is stipulated for in Article III of the draft.

We thought it very essential that, in view of the connection of the Turkish railway lines with those of Eastern Europe, care should be taken that no heavier railway tariff charges on the Turkish lines should be imposed upon British merchandize than upon the merchandize of other nations, and this it will be observed has been provided for in Article V of the draft.

The precaution is taken in Article VI of fixing the equivalent in piastres of the gold and silver medjidié, so as to prevent in future an arbitrary rate of value being enforced by the Custom-house authorities.

Article VII enlarges upon the corresponding one of the old Treaty by conceding, reciprocally, equality of treatment with native subjects in regard to the right of keeping shops and other business establishments.

Article X abolishes, reciprocally, all transit duties.

We thought it desirable to amend materially the Article (Article IX) of the old Treaty wherein it is agreed that "national" treatment shall apply to British vessels as regards the imposition of port dues, &c. The aggregate tonnage of British vessels in Turkish ports is immeasurably greater than that of Ottoman vessels, and it might easily be worth the while of the Ottoman authorities to enact heavy port charges upon their own insignificant amount of shipping, in order thereby to acquire the right of imposing the same upon the vastly greater amount of British shipping. The imposition of port dues being, in fact, opposed to the principles of the Capitulations, we have, in Article XI of our draft, stipulated that no charges of the sort shall hereafter be levied upon British shipping without the consent of Her Majesty's Government.

In Article XII careful provision is made for the establishment of bonded warehouses.

The Ottoman Delegates mentioned to us the desire of the Porte to establish monopolies of matches, cigarette paper, and playing cards. We believe that British trade is not extensively interested in the importation into Turkey of those articles, and perhaps, therefore, it will be wise to make the concession should it be formally asked for, and to obtain, if possible, in return, some advantageous amendment of the Tariff. Power is reserved to the Porte by Article XV of the draft to establish the monopolies in question.

Articles XVII and XVIII of our draft are made, with the exception of some necessary modifications, to correspond with Articles XIX and XX of the Ottoman draft, on the subject of vessels' captains or agents being required to deposit copies of the vessels' manifest at the Custom-house, as well as a declaration giving a true description of the cargo.

Our Article XIX agrees also with the Ottoman Article XXI, so far as to admit that contested questions respecting the nature of a vessel's cargo shall be decided by the Custom-house Administration, and not by the Courts. In cases of alleged contraband, however, our Article reserves the right of appeal to the Mixed Commercial Courts against the decision of the Custom-house.

We mentioned above that the Ottoman Delegates persistently refused to entertain our demand that the Turkish Custom-house Regulations should, before their promulgation, be submitted to the approval of Her Majesty's Government, and, indeed, we venture to think that the demand was one which no independent Government could easily be induced to concede. As there is little or no likelihood that the Porte will give way on this point, our draft Convention attempts to turn the difficulty by stipulating, in Article XX, that Her Majesty's Government shall be "made acquainted" with these Regulations previous to the signature of the Convention.

In Article XXI, the last one of our draft, the Convention is made applicable for the whole of the Ottoman Empire, and for the whole of the United Kingdom of Great Britain and Ireland. The reciprocal right of importation, &c., conceded to Turkey by the Treaty of 1861 were made applicable to the whole of "the possessions and dominions" of Her Majesty, but we were in doubt whether such a concession, made at the present day, might not require the assent of certain Colonial Governments.

As regards the important question of the duration of the Convention, this is left undealt with in our draft, being one on which we did not feel competent to pronounce. It would, of course, form the subject matter of an Additional Article. The question is also untouched upon by the Ottoman draft, but we believe that the Porte is anxious that its new Commercial Convention shall remain in force for a very short term of years.

Before concluding this Report we are anxious to acknowledge the service rendered to us by Mr. Dragoman Stavrides. He attended us at all the meetings held at the Porte, and has also given us valuable assistance in the preparation of our draft Convention.

We have, &c.

(Signed) EDMUND FANE.
WILLIAM H. WRENCH.

Inclosure 2 in No. 6.

Draft Treaty of Commerce.

SA Majesté Impériale le Sultan, Empereur des Ottomans, et Sa Majesté la Reine d'Angleterre, Impératrice des Indes, également animés du désir d'étendre et de développer les relations commerciales entre leurs États respectifs, ont résolu de conclure à cet effet un Traité de Commerce et de Navigation, et ont nommé pour leurs Plénipotentiaires, savoir:

Sa Majesté Impériale le Sultan,

Sa Majesté la Reine d'Angleterre, Impératrice des Indes,

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants:—

ARTICLE I.

Entre les Hautes Parties Contractantes il y aura pleine et entière liberté de commerce et de navigation. Les sujets de chacune des deux Parties jouiront sur le territoire de l'autre, en matière de commerce, d'industrie et de navigation, des droits, privilèges et faveurs qui sont ou qui seront accordés, ou dont la jouissance serait permise, aux sujets de la nation la plus favorisée.

ARTICLE II.

Les sujets de chacune des deux Hautes Parties ou leurs ayants-cause pourront acheter dans toutes les parties du territoire de l'autre, soit qu'ils veuillent en faire le commerce à l'intérieur, soit qu'ils se proposent de les exporter, tous les articles sans exception, provenant du sol ou de l'industrie.

Aucune prohibition à l'importation, à l'exportation ou au transit ne pourra être établie par l'une des deux Hautes Parties à l'égard de l'autre si elle n'est en même temps applicable à toutes les autres nations ou à celles des autres nations qui se trouveraient dans les conditions identiques.

ARTICLE III.

Les sujets de chacune des deux Hautes Parties ne seront soumis sur le territoire de l'autre à aucune taxe, imposition, restriction ou charge générale ou locale, de quelque nature que ce soit, autre ou plus élevée que celles qui frappent ou qui frapperont les sujets de la nation la plus favorisée.

ARTICLE IV.

Aucun article ne pourra être assujetti dans les États de l'une des deux Parties, lors de son exportation vers les États de l'autre, à des droits ou des charges autres ou plus

élevés que ceux qui sont ou qui pourraient être exigés lors de l'exportation du même article vers tout autre pays étranger.

En Turquie tout article destiné à l'exportation sera transporté libre de tout espèce de charges à un lieu convenable d'embarquement ou d'exportation par terre, et le droit d'exportation n'excédera pas 1 pour cent, calculé sur la valeur à l'échelle et sera payable au moment de l'exportation.

Tout article qui aura déjà payé le droit d'exportation n'y sera pas soumis une autre fois quand même il aurait changé de main.

ARTICLE V.

Tout article de fabrication ou de provenance Anglaise importé par terre ou par mer dans les États de Sa Majesté Impériale le Sultan, et tout article de fabrication ou de provenance Ottomane importé par terre ou par mer en Angleterre, ne sera soumis dans les États de Sa Majesté Impériale le Sultan et dans les États de Sa Majesté Britannique à des droits autres ou plus élevés que ceux qui sont ou qui pourraient être payables lors de l'importation du même article produit du sol et de l'industrie de tout autre pays.

La Sublime Porte s'engage en outre à ne soumettre les articles de fabrication ou de provenance Anglaise importés dans l'Empire Ottoman à des droits excédant ceux indiqués dans le Tarif ci-annexé, et qui fait partie intégrante du présent Traité.

En ce qui concerne les vins et les spiritueux, Sa Majesté Impériale le Sultan se réserve le droit d'augmenter les taxes fixées dans le susdit Tarif en proportion des surtaxes qui pourraient être imposées à l'avenir aux produits similaires de la Turquie.

Le droit d'importation sera payable dans les États de Sa Majesté Impériale le Sultan au moment du débarquement des marchandises si elles arrivent par mer, et au premier bureau de douane si elles viennent par voie de terre. Quant aux importations et exportations par chemin de fer, la perception des droits se fera dans les États de Sa Majesté Impériale le Sultan, conformément au règlements spéciaux qui seront édictés par le Gouvernement Ottoman sur la base des dispositions généralement adoptées dans les autres pays en pareille matière.

Les payements se feront en or, le médjidié d'or à 100 piastres. Les monnaies d'argent Ottomanes seront également acceptées au taux fixé par le Gouvernement Impérial.

ARTICLE VI.

En ce qui concerne l'importation, l'exportation, le transit, la mise en entrepôt des marchandises, ainsi que les droits de magasinage, de surveillance, d'embarquement, de débarquement, de statistique, ou autres de quelque nature qu'ils soient, et les formalités douanières de toute espèce, les sujets de chacune des Hautes Parties Contractantes seront soumis dans les États de l'autre aux mêmes charges que les nationaux.

Toutefois, les deux Parties s'engagent à se faire participer immédiatement, et sans autre formalité, à tous les bénéfices, à tous les privilèges, et à toute réduction des droits, ainsi qu'à toute autre exemption, prime, ou drawback qu'elles ont accordées ou qu'elles accorderont à une tierce Puissance.

ARTICLE VII.

Tout article qui peut ou qui pourra être légalement importé de l'étranger dans le territoire de l'une des deux Parties Contractantes, ou qui peut ou qui pourra en être exporté pour l'étranger par les navires nationaux, pourra l'être également par les navires de l'autre Partie sans être soumis à des droits ou charges autres ou plus élevés que ceux qui seraient exigibles si l'article était importé ou exporté sur des bateaux nationaux.

Cette égalité de traitement sera appliquée soit que la marchandise vienne directement du pays de production, soit qu'elle vienne de tout autre pays.

ARTICLE VIII.

Aucun droit quelconque ne sera prélevé sur les marchandises de fabrication ou de provenance Anglaise, ni sur les marchandises de fabrication ou de provenance étrangère appartenant à des sujets Anglais ou chargées sur des bâtiments Anglais, quand ces deux sortes de marchandises passeront par les Détroits des Dardanelles, du Bosphore, ou de la Mer Noire, soit qu'elles traversent ces Détroits sur les bâtiments qui les ont apportées, ou qu'elles soient transbordées sur d'autres bâtiments, ou que, vendues pour l'exportation, elles soient pour un temps limité déposées à terre pour continuer leur voyage à bord d'autres bâtiments. Dans ce dernier cas les marchandises devront être entreposées sous les conditions établies dans l'Article XIII.

ARTICLE IX.

Les marchandises de toute nature venant de l'un ou deux territoires ou y allant seront réciproquement exemptes dans l'autre de tout droit de transit, soit qu'elles transitent directement, soit que pendant le transit elles doivent être déchargées, déposées, et rechargées.

ARTICLE X.

Seront exempts des droits d'importation dans l'Empire Ottoman après vérification ouanière :—

1. Des cartes d'échantillons, les échantillons en morceaux coupés de la pièce, ou échantillons représentant la marchandise, en tant qu'ils ne peuvent servir à aucun autre usage.

2. Les effets de voyage, les vêtements, et le linge des voyageurs servant à leur propre usage.

3. Les effets ou objets importés à l'adresse, et destinés à l'usage personnel des Chefs de Missions Diplomatiques accrédités réciproquement dans les deux Empires, ainsi que des Consuls-Généraux Anglais au Caire et à Sofia.

4. Les effets ou objets importés à l'adresse et destinés à l'usage personnel d'un fonctionnaire de l'Ambassade d'Angleterre, d'un Consul-Général, Consul, Vice-Consul de carrière, quand ces objets et effets sont introduits lors de la première installation de ces fonctionnaires en Turquie.

ARTICLE XI.

Les objets assujettis aux droits de douane qui servent d'échantillons et qui sont importés par des marchants, fabricants ou des commis-voyageurs Ottoman ou Anglais, jouiront de part et d'autre, moyennant les formalités de douane nécessaires pour en assurer la réexportation ou la réintégration en entrepôt, ainsi que pour en constater l'identité, d'une restitution des droits qui devront être déposés à l'entrée.

Le délai accordé pour la circulation de ces échantillons sera fixé lors de leur importation et ne pourra pas dépasser un an.

ARTICLE XII.

Aucun droit de tonnage, de port, de pilotage, d'ancrage, de quai, de phare, de quarantaine ou tout autre droit semblable, quelqu'en soit la nature ou la dénomination, perçu ou à percevoir au profit du Gouvernement, de particuliers, de corporations ou d'établissements de toute espèce, ne sera imposé aux bâtiments d'un des deux États dans les ports de l'autre, si ce droit ne frappe pas également et sous les mêmes conditions les bâtiments nationaux. Cette égalité de traitement s'appliquera réciproquement aux bâtiments des deux pays, de quelque port ou endroit qu'ils viennent et quel que soit le lieu de leur destination.

ARTICLE XIII.

Dans les principaux ports et dans les bureaux frontières importants, autant que l'intérêt du commerce l'exigera, le Gouvernement Ottoman établira des entrepôts, où les articles importés pourront être déposés contre un droit de magasinage, et, à défaut d'établissements publics de ce genre, il permettra l'entreposage des marchandises dans des magasins privés sous fermeture douanière et contre un droit de surveillance, conformement aux règlements douaniers. Le délai d'entreposage des marchandises n'excédera pas douze mois, pendant lesquels les importateurs auront la faculté de les reéxporter sans payer un droit d'importation ou d'exportation. Passé ce délai, les marchandises seront passibles de l'intégralité des droits d'importation.

ARTICLE XIV.

Seront comme Ottomans en Angleterre et comme Anglais en Turquie les navires qui navigueront sous les pavillons respectifs, et qui seront porteurs des papiers de bord et des documents exigés par les lois de chacun des deux États pour la justification de la nationalité des bâtiments de commerce.

ARTICLE XV.

Les Firmans exigés des bâtiments marchands Anglais à leur passage par les Dardanelles et le Bosphore leur seront toujours délivrés de manière à leur occasionner le moins de retard possible.

ARTICLE XVI.

L'importation et le transit dans l'Empire Ottoman du tabac sous toutes ses formes et du sel sont et demeurent prohibé. La Sublime Porte fait savoir en outre qu'elle a l'intention d'appliquer la même prohibition aux allumettes de toutes formes et de toutes substances, aux cartes à jouer, et aux papiers à cigarette. Les sujets Anglais en Turquie seront soumis, en ce qui concerne le commerce intérieur ou l'exportation de ces articles, aux mêmes régimes et règlements et acquitteront les mêmes droits que les sujets Ottomans. L'exportation du tabac reste affranchie.

ARTICLE XVII.

L'importation et le transit de la poudre, de la dynamite et d'autres matières explosibles analogues, des canons, des armes de guerre et munitions militaires, sont formellement prohibés.

Ne sont pas compris dans cette restriction générale les fusils de chasse et les armes de luxe, dont la spécification sera officiellement portée à la connaissance du public par le Gouvernement Impérial Ottoman.

Le commerce des armes et munitions reste sous la surveillance immédiate et spéciale du Gouvernement Ottoman, qui conserve le droit exclusif de la réglementer.

ARTICLE XVIII.

Les articles d'orfévrerie et de bijouterie en or, en argent, en platine ou autres métaux importés de l'un des deux pays seront soumis dans l'autre au régime de controle établi pour les articles similaires de fabrication nationale, et payeront, s'il y a lieu, sur la même base que ceux-ci les droits de marque.

ARTICLE XIX.

Les capitaines des bâtiments de commerce ayant à bord des marchandises à destination de l'Empire Ottoman seront tenus, immédiatement après leur arrivée au port de destination, de déposer à la Douane deux copies exactes de leur manifeste certifiées par eux conformes à l'original. De même ils doivent avant leur départ d'un port Ottoman déposer à la Douane une copie d'un manifeste relatant les marchandises chargées sur leur navire.

Le manifeste original, soit à l'arrivée soit au départ, sera présenté en même temps que les copies pour être confronté.

Si un navire s'arrête dans un port Ottoman ou louvoie près des côtes pour des motifs paraissant suspects à la Douane Ottomane, celle-ci pourra exiger la présentation du manifeste et d'autres documents et faire immédiatement toutes perquisitions qu'elle jugera nécessaires. Le double de l'ordre de perquisition sera adressé dans ce cas à l'autorité Consulaire si celle-ci est à l'approche, qui pourra assister aussi sans que toutefois cette formalité puisse retarder la perquisition.

De même la Douane aura le droit de faire occuper, par l'installation d'un employé à bord, tout navire ancré dans les eaux Ottomanes, ou d'y faire apposer les scellés ou mettre des serrures, sans qu'il y ait lieu à en donner communications aux autorités Consulaires.

Les excédents ou déficits résultant du rapprochement au manifeste avec la cargaison donneront lieu à l'application des amendes prévues par le Règlement Douanier Ottoman.

L'Administration Douanière Ottomane se réserve également le droit de réglementer les mesures qu'elle jugera nécessaires en vue de prévenir les fraudes et la contrebande, tant en ce qui concerne l'introduction des marchandises que l'exportation et le transit par terre ou par mer, par l'entremise de postes, des chemins de fer ou par tous autres voies et moyens.

ARTICLE XX.

Toute opération de Douane en Turquie, soit à l'arrivée soit au départ, doit être précédée d'une déclaration spéciale signée par le propriétaire de la marchandise, ou par son représentant. La déclaration doit contenir toutes les indications nécessaires pour l'application des droits; ainsi outre la nature, l'espèce, la qualité, la provenance et la destination de la marchandise, elle doit énoncer le poids, le nombre, la mesure ou la valeur suivant le cas.

La Douane peut en outre, en cas de contestation, exiger la présentation de tous les documents qui doivent accompagner l'envoi d'une marchandise, tels que factures, correspondances, &c.

Tout refus de faire la déclaration à l'arrivée ou au départ, tout retard apporté à la dite

déclaration, toute différence en plus ou en moins entre les marchandises et la déclaration donnent lieu à l'application des pénalités prévues par le Règlement Douanier Ottoman.

ARTICLE XXI.

En Turquie, les contestations sur la nature, l'espèce, la classe, l'origine ou la valeur des marchandises seront vidées par voie administrative et non par la voie judiciaire. Les marchandises introduites en contrebande seront passibles de confiscation au profit du Trésor Ottoman, sans préjudice des autres pénalités encourues par les délinquants.

Cette disposition est indépendante de l'obligation de payer les droits de Douane, lesquels seront perçus dans tous les cas.

Si la Douane Ottomane a des raisons sérieuses pour présumer l'existence d'Articles introduits en contrebande dans des endroits quelconques des districts-frontières, elle pourra procéder dans les magasins ou demeures à toute perquisition immédiate qu'elle jugera nécessaire.

Le double de l'ordre de perquisition sera envoyé à l'autorité Consulaire du sujet Anglais, qui pourra assister aussi si elle le juge convenable, sans que cette formalité puisse retarder la perquisition.

Inclosure 3 in No. 6.

Memorandum.

AVANT d'entamer les négociations pour un Traité de Commerce les Délégués du Gouvernement de Sa Majesté Britannique estiment qu'il serait utile d'arriver à une entente définitive touchant les conditions auxquelles leur Gouvernement, par l'organe de son Délégué, M. Wrench, s'était déclaré prêt à adhérer aux stipulations du nouveau Tarif.

Ces conditions ayant été consignées dans le procès-verbal No. 44 des négociations du Tarif, les Délégués Anglais, après avoir entendu les explications verbales fournies à cet égard par leurs collègues Ottomans, prennent tout d'abord acte des points déjà admis par le Gouvernement Ottoman, à savoir :—

La clause de la nation la plus favorisée, consacrée par les Traités antérieurs ;

L'application des dispositions du nouveau Tarif aux marchandises Anglaises simultanément avec la mise en vigueur du susdit Tarif à l'égard de tous les autres pays ;

La suppression du droit de transit par notification officielle ;

La simplification des opérations douanières ;

L'adoption du système des déclarations ;

La faculté d'entrepôt à accorder aux articles importés ;

Enfin, la publication d'un avis officiel portant à la connaissance du commerce, au moins trois mois d'avance, la date à laquelle le Gouvernement Ottoman aura l'intention de mettre en vigueur le nouveau Tarif en tant qu'il concerne la généralité des marchandises, les tissus y compris.

Ils résument ensuite, ainsi qu'il suit, les points qui ne sont pas encore arrêtés d'une manière définitive, et prient leurs collègues Ottomans de vouloir bien se munir des instructions nécessaires afin de les trancher de façon à satisfaire le Gouvernement Britannique :—

1. Soumettre au préalable à l'appréciation du Gouvernement Britannique tout règlement et notification officielle découlant du nouveau Traité et Tarif, et dont quelques uns ont fait l'objet des insistances de M. Wrench lors des négociations du Tarif, afin que le Gouvernement de Sa Majesté donne son adhésion avant qu'ils ne soient mis à exécution ;

2. Promulguer la nomenclature officielle nécessaire pour déterminer l'application du nouveau Tarif, qui sera de même soumise à l'appréciation du Gouvernement Britannique avant d'être mise en vigueur ;

3. Publier par la voie des journaux toutes instructions générales ou circulaires ultérieures ayant pour objet d'expliquer les articles du Tarif ou d'en déterminer la portée, et constater le droit des autorités Anglaises d'en contester les dispositions dans le cas où elles leur sembleraient contraires aux stipulations du Traité ou du Tarif. Les Délégués Anglais déclarent en outre que, d'après leurs instructions, ils sont tenus de maintenir leur demande concernant l'abolition des droits du commerce intérieur par mer, ainsi que celle touchant l'abolition des droits d'exportation.

Le commerce de la Grande-Bretagne avec la Turquie prendrait sans nul doute un

très grand essor par le fait du développement de la prospérité matérielle qui ne manquerait pas de résulter pour l'Empire Ottoman à la suite de l'abolition de ces droits. C'était à ce point de vue seulement, et sans avoir nullement l'intention de s'immiscer dans l'administration intérieure de l'Empire, que le Gouvernement Britannique avait demandé l'abolition des droits en question. Il a estimé que cette mesure pourrait compenser en partie les préjudices causés au commerce Anglais par suite de l'augmentation très considérable des droits d'entrée stipulés dans le nouveau Tarif.

Les Délégués Anglais croient devoir, dès lors, engager leurs collègues Ottomans à soumettre de nouveau cette demande à la sérieuse appréciation de la Sublime Porte, et de tâcher d'amener le Gouvernement Impérial à s'associer aux vues que le Gouvernement Britannique a exprimées à ce sujet dans l'intérêt du commerce des deux pays.

Inclosure 4 in No. 6.

Draft Convention.

HIS Imperial Majesty the Sultan, Emperor of the Ottomans, having manifested the desire to introduce by a special and additional Act certain modifications in the clauses of the ancient Treaties concerning commerce and navigation, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, having adhered to that desire, their Majesties have agreed to conclude a Convention, intended, after the manner of the Agreements of 1838 and 1861, to determine the mode of applying the desired modifications, which it is understood are to remain in force only for the term of the present Convention; and it is further understood that the rights mutually possessed, now and for ever, by Turkey and Great Britain in virtue of the ancient Treaties shall not be impaired by the present Convention, except to the extent in which those rights may be modified in the manner and for the term of time about to be agreed upon.

To the above effect their Majesties have named as their Plenipotentiaries,

Who, after having exchanged their full powers, found in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

All rights, privileges, and immunities which the Sublime Porte now grants or may hereafter grant to, or suffer to be enjoyed by, the subjects, ships, commerce, and navigation of any other foreign Power shall be equally granted to, and exercised and enjoyed by, the subjects, ships, commerce, and navigation of Great Britain.

In the same manner, all rights, privileges, and immunities which Great Britain now grants or may hereafter grant to, or suffer to be enjoyed by, the subjects, ships, commerce, and navigation of any other foreign Power shall be equally granted to and exercised and enjoyed by, the subjects, ships, commerce, and navigation of Turkey.

ARTICLE II.

The subjects of Her Britannic Majesty, or their agents, shall be permitted to purchase at all places in the Ottoman dominions and possessions (whether for the purpose of internal trade or of exportation) all articles, without any exception whatsoever, the produce or manufacture of the said dominions and possessions.

In the same manner, the subjects of His Imperial Majesty the Sultan, or their agents, shall be permitted to purchase at all places in the United Kingdom of Great Britain and Ireland (whether for the purposes of internal trade or of exportation) all articles, without any exception whatsoever, the produce or manufacture of the said United Kingdom.

The Sublime Porte having, in virtue of previous Treaties, formally engaged to abolish all monopolies of agricultural produce or of any other articles whatsoever, as well as all permits ("teskérés") from the local Governors, either for the purchase of any article, or for its removal from one place to another when purchased, any attempt to compel the subjects of Her Britannic Majesty to receive such permits from the local Governors shall be considered as an infraction of Treaties, and the Sublime Porte shall immediately punish

with severity any Viziers or other officers who shall have been guilty of such misconduct, and shall render full justice to British subjects for all injuries or losses which they may duly prove themselves to have suffered thereby.

ARTICLE III.

No prohibition shall be imposed on the exportation of any article from the dominions of either of the two Contracting Parties to the dominions of the other which shall not equally extend to the exportation of the like article to any other country.

No charge or duty whatsoever will be demanded on any article the produce or manufacture of the Ottoman Empire purchased by British subjects or their agents, either at the place where such article is purchased, or in its transit, by land or by sea, from that place to the place whence it is exported, at which it will not be subjected to any export duty whatsoever, and, in the same manner, no charge or duty whatsoever will be demanded on any article the produce or manufacture of the United Kingdom of Great Britain and Ireland, purchased by Ottoman subjects or their agents, either at the place where such article is purchased, or in its transit, by land or by sea, from that place to the place whence it is exported, at which it will not be subjected to any export duty whatsoever. In order to give effect to this reciprocal stipulation, the Sublime Porte engages to abolish the existing duty on internal commerce by sea.

ARTICLE IV.

If any article of Turkish produce or manufacture be purchased by British merchants or their agents for the purpose of selling the same for internal consumption in Turkey, the said British merchants or their agents shall pay, at the purchase and sale of such articles, and in any manner of trade therein, the same duties that are paid in similar circumstances by the most favoured class of Ottoman subjects, or of foreigners engaged in the internal trade of Turkey. In the same manner, if any article of British produce or manufacture be purchased by Ottoman merchants or their agents for the purpose of selling the same for internal consumption in the United Kingdom of Great Britain and Ireland, the said Ottoman merchants or their agents shall pay at the purchase and sale of such articles, and in any manner of trade therein, the same duties that are paid in similar circumstances by the most favoured class of British subjects, or of foreigners engaged in the internal trade of the said United Kingdom.

ARTICLE V.

British merchandize carried on any railway in the Ottoman dominions shall be treated, as regards charges and facilities, and in every other respect, exactly in the same manner as the merchandize of the most favoured nation, or of the most favoured class of Ottoman subjects, and the rates of charges to be levied upon such merchandize shall be fixed by special Regulations.

ARTICLE VI.

No other or higher duties shall be imposed on the importation into the United Kingdom of any article the produce or manufacture of the dominions and possessions of His Imperial Majesty the Sultan, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Imperial Majesty of any article the produce or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than are or may be payable on the like article the produce or manufacture of any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions of either of the Contracting Parties into the dominions of the other, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country.

The Sublime Porte further engages that, save as hereinafter excepted, it will not prohibit the importation into the Ottoman dominions and possessions of any article the produce or manufacture of the dominions and possessions of Great Britain, from whatever place arriving, and that the duties to be imposed on any article the produce or manufacture of the dominions or possessions of Great Britain, imported into the Ottoman dominions or possessions, shall in no case exceed the rates of duty specified in the Tariff which is annexed to and forms an integral part of the present Convention.

The import duty shall be payable at the time when the merchandize, whether brought

by sea or by land, leaves the custody of the Custom-house, and shall be paid in gold or in silver, the gold medjidié being reckoned at 100 piastres, and the silver medjidié at 19 piastres.

ARTICLE VII.

The subjects of one of the Contracting Parties shall enjoy in the dominions of the other equality of treatment with native subjects or with the subjects of the most favoured nation in regard to keeping shops or establishments for business, the exercise of trade and industry, warehousing, bounties, Custom-house facilities, and drawbacks.

ARTICLE VIII.

All articles which are or may be legally importable into the dominions of Her Britannic Majesty in British vessels, or in those of any other nation, may likewise be imported in Ottoman vessels, without being liable to any other or higher duties or charges, of whatever denomination, than if such articles were imported in British vessels or in those of any other nation.

Reciprocally, all articles which are or may be legally importable into the dominions of His Imperial Majesty the Sultan in Ottoman vessels, or in those of any other nation, may likewise be imported in British vessels, without being liable to any other or higher duties or charges, of whatever denomination, than if such articles were imported in Ottoman vessels, or in those of any other nation. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other country.

ARTICLE IX.

No charge whatsoever shall be made upon British goods being the produce or manufacture of the British dominions or possessions, whether in British or other ships, nor upon any goods the produce or manufacture of any other foreign country belonging to British subjects or carried in British ships, when the same shall pass through the Straits of the Dardanelles or of the Bosphorus, whether such goods shall pass through those Straits in the vessels that brought them, or shall have been transhipped to other vessels; or whether, after having been sold for exportation they shall, for a limited time, be landed in order to be placed in other vessels for the continuance of their voyage. In the latter case, the goods in question shall be deposited in the warehouses of the Custom-house under the conditions prescribed by Article XII of the present Convention.

ARTICLE X.

All goods coming from the territories of one of the Contracting Parties to those of the other, or going thither, shall be reciprocally exempt from all transit charges or duties. Such reciprocal equality of treatment shall take effect without distinction, whether such goods pass directly through such territories or whether during their transit they be unloaded, deposited, and reloaded.

ARTICLE XI.

No duties or charges of tonnage, harbour, pilotage, anchorage, quay, light-house, nor any other similar or corresponding duties or charges shall be imposed in the dominions of one of the Contracting Parties on the vessels and merchandize of the other which shall not equally be imposed upon national vessels and merchandize, or upon the vessels and merchandize of any other nation.

It is understood that no duties or charges of the above description shall be imposed in the Ottoman dominions upon British vessels and merchandize without, as heretofore, the consent of the British Government having first been obtained thereto.

ARTICLE XII.

In the principal ports and at the principal frontier stations the Ottoman Government undertakes to establish, to the extent demanded by the requirements of commerce, bonded warehouses, wherein imported goods that are in transit, or goods intended for exportation, can be deposited, subject to the payment of the charge for warehousing fixed by the Regulations of the Custom-house; and in places where there shall not exist any such warehouses, it shall be permitted to the owners (or their agents) of such goods to deposit the same in private magazines under the surveillance of the Custom-house authorities.

The length of time wherein such goods may remain deposited shall not exceed two years, during which time the owners of them (or their owners' agents) shall be at liberty

to export them without paying any import or export duty. On the termination of the said period of two years the goods in question shall be subjected to the entire amount of the import duty chargeable upon them.

ARTICLE XIII.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to Ottoman law, are to be deemed Ottoman vessels, shall for the purposes of this Convention be deemed British and Ottoman vessels respectively.

ARTICLE XIV.

The Firmans required for British merchant-vessels, on passing through the Dardanelles and the Bosphorus, shall always be delivered in such manner as to occasion to such vessels the least possible delay.

ARTICLE XV.

An exception to the stipulations of Articles II and VI of the present Convention, and to the provisions of previous Treaties concerning the abolition of monopolies, shall be made in regard to tobacco, in any shape whatever, and also in regard to salt, matches, playing cards, and paper for cigarettes, which articles shall cease, during the term of this Convention, to be included among those which the subjects of Her Britannic Majesty are permitted to import into the Ottoman dominions.

British subjects, however, or their agents, buying or selling tobacco, salt, matches, playing cards, and paper for cigarettes, for consumption or use in Turkey, shall be subject to the same Regulations and shall pay the same duties as the most favoured Ottoman subjects trading in the articles aforesaid.

No duty whatsoever shall be levied on the articles above mentioned when exported from Turkey by the subjects of Her Britannic Majesty.

British subjects shall, nevertheless, be bound to declare the quantity of tobacco, salt, matches, playing cards, and paper for cigarettes thus exported to the proper Custom-house authorities, who shall have the right to watch over the export of those articles, without, however, thereby being entitled to levy any tax thereon on any pretence whatsoever.

ARTICLE XVI.

The importation into Turkey, except in transit for other countries, of gunpowder, dynamite, and all other explosive materials of a similar nature, and also of cannon, arms of war, and military stores, is formally prohibited. The transit of such articles through the Ottoman dominions, whether by land or sea, shall be under the surveillance of the Ottoman Government. Fowling-pieces, and ornamental or fancy weapons, as also small quantities of gunpowder for sporting, reserved for private use, shall not be subject to the stipulations of the present Article.

ARTICLE XVII.

The captains of British merchant-vessels with goods on board destined for the Ottoman Empire shall be obliged, within a maximum delay of thirty-six hours after their arrival at the port to which they are bound, to deposit in the Custom-house of the said port two copies of their manifest, certified by themselves or by their agents to be true and exact copies of the original. The original manifest shall, either at the arrival, or else at the departure, of such vessels, be presented at the Custom-house, in order to be compared with the said copies.

Furthermore, within a maximum delay of three days after the departure of a British vessel from an Ottoman port, a true declaration by the captain, describing any goods that he may have taken on board in such port, shall be deposited at the Custom-house by the agent of the said vessel.

In cases where the cargo does not tally with the manifest of a vessel, such vessel shall be fined according to the rates which shall be specified in the Regulations relating to such cases.

The Ottoman Administration of the Customs also reserves the right of enacting Regulations in order to prevent fraudulent and contraband practices in regard to the introduction and exportation of goods, and also in regard to the transit of goods by post, railway, or any other channel, provided always that such Regulations shall not encroach

upon the rights secured to British subjects in virtue of the Capitulations and other International Conventions.

If any British merchant-vessel puts into an Ottoman port, or cruizes close to the Ottoman shores, without any reasonable cause for so doing, and so as to be suspected by the Custom-house of illicit intentions, the Custom-house authorities shall be at liberty to concert measures with the nearest British Consular authority for the purpose of searching such vessel, but no such search shall take place without the presence thereat of the said Consular authority.

ARTICLE XVIII.

The owners of British goods imported into the Ottoman dominions, or their agents, shall be required, on the arrival or the departure of such goods, to furnish the Custom-house with a declaration containing all the information necessary for the application of the duties chargeable on such goods.

Besides the nature, sort, quality, place of departure, and destination of such goods, the said declaration shall state the weight, number, measure, or value thereof, according to the case, and in as far as it shall be possible to do so; and in cases of dispute as to the accuracy of the said information, the Custom-house may demand to see the documents, such as bills, correspondence, &c., which usually accompany the consignment of goods.

Any refusal to make the said declaration, or any unnecessary delay in making it, or any discrepancy not satisfactorily accounted for between such goods and the description given of them in the said declaration, shall occasion the application of the penalties which shall be laid down in the Custom-house Regulations.

ARTICLE XIX.

In Turkey, disputed questions respecting the nature, sort, class, origin, and value of goods shall be decided administratively, and not judicially.

Nevertheless, in any case of alleged contraband where a British subject is the defendant, the said British subject shall have the right to appeal to the Mixed Commercial Tribunal against the decision of the Administration. Goods legally condemned as contraband shall be confiscated to the Ottoman Treasury.

ARTICLE XX.

It is understood that before the signature of the present Convention Her Majesty's Government shall be made acquainted with the Regulations referred to in the foregoing Articles V, XII, XVII, and XVIII.

ARTICLE XXI.

The present Convention shall be applicable throughout the whole of the Ottoman Empire, and throughout the whole of the United Kingdom of Great Britain and Ireland.

No. 7.

The Marquis of Salisbury to Sir W. White.

(No. 71. Commercial.)

Sir, *Foreign Office, August* 9, 1887.

I HAVE to acknowledge the receipt of your Excellency's despatch No. 89, Commercial, of the 12th ultimo, forwarding a Report by Mr. Fane and Mr. Wrench on the present position of the commercial negotiations with the Porte, and the drafts of a new Commercial Treaty which have been drawn up respectively by the Ottoman and British negotiators. In reply I have to express my approval of your Excellency's proceedings, and those of Mr. Fane and Mr. Wrench, in this matter.

I concur in your opinion that it is expedient to get ready the draft of Convention which may properly be proposed on the part of Her Majesty's Government. I have to observe generally on the draft submitted in your above-mentioned despatch that its phraseology is based on that of the Treaty of 1861, which follows the text of earlier documents. It may therefore be well to consider whether the better course would not be to recast this document, and to adopt language similar to that used in more recent Treaties.

I inclose for convenience of reference copies of the printed correspondence of the present year, which contains your Excellency's above-mentioned despatch, and copies of the Commercial Treaty concluded last year between Great Britain and Greece. I also inclose a Memorandum containing observations on the English draft Convention forwarded with your despatch of the 12th ultimo.

I have further to point out that the Tariff which has been settled in the Conferences between Mr. Wrench and the Ottoman Delegates, is not alluded to in the draft Convention. It was understood that it would form an annex to the new Treaty, in the shape in which it is finally settled in the negotiations between the Porte and all the Powers.

In view of the arrangements now made in Commercial Treaties in regard to British Colonies, it will be necessary to insert an Article in the new Treaty with Turkey, in the terms of Article XVII of the Treaty of the 10th November, 1886, with Greece.

I shall be glad to receive your Excellency's further remarks on the subject, on consideration of this despatch and the papers herewith inclosed; and I shall also be glad if you will prepare a revised draft Convention at your discretion, either now or after Mr. Wrench's return to his post.

I am, &c.

(Signed) SALISBURY.

Inclosure in No. 7.

Memorandum of Observations on the English text of Draft Convention inclosed in Sir W. White's despatch No. 89, *Commercial, of July* 12, 1887.

PREAMBLE.—It would seem to be desirable if possible to specify in a schedule to the Convention what international engagements are here included in the phrase "ancient Treaties."

The term of duration contemplated in the Preamble might be fixed by an additional Article at ten years with twelve months' notice, and an Article providing for ratification and date of coming into effect should be added.

Article I. Line 3 of print for word "equally," substitute words "immediately and unconditionally."

Article III. The first paragraph seems to be in conflict with paragraph 1 of Article II.

Article III, paragraph 2. The intention apparently is to provide against the imposition either intentionally or at ports of any export duties. This paragraph is not now very clear and might be embarrassing in regard to British duties of Inland Revenue. It should be recast.

Article IV. Line 4 of print, after word "are" insert words "or may be." Similar insertion at line 10.

Article VI, paragraph 3 is evidently meant to apply to the Ottoman dominions only, but this meaning is not expressly stated.

Article X. The words "or going thither" in line 2 are not clear.

Article XVII. Have the provisions of this Article been carefully considered? How is it intended that the fine on the vessel shall be levied after her departure from an Ottoman port?

Article XIX. For word "administratively" substitute words "by the Customs Administration," but would such a stipulation be prudent and safe in the interests of British trade?

Article XX is not very clear. If the Porte may alter the Regulations in question at will, after the signature of the Convention, the stipulation is of little value. Should not these Regulations be settled before the signature and (unless altered by mutual consent) have the same duration as the Convention itself?

General.—It would apparently be desirable to make the Convention apply, as in the Anglo-Greek Treaty, to all the dominions and possessions of Her Majesty, but inserting a Colonial Article identical with Article XVII of that Treaty.

The phraseology throughout should be recast with this view, and Article XXI will then be unnecessary. But any observations on this point which occur to Sir William White would be valuable.

The Arbitration Protocol attached to the Greek Treaty is not required in the case of Turkey.

No. 8.

Sir W. White to the Marquis of Salisbury.—(Received November 19.)

(No. 139. Commercial.)

My Lord, *Constantinople, November 14, 1887.*

WITH reference to your Lordship's despatch No. 71, Commercial, of the 9th August last, I have the honour to forward herewith a despatch from Mr. Fane and Mr. Wrench, covering an amended draft for a Commercial Convention with Turkey.

In revising their original draft, Mr. Fane and Mr. Wrench have carefully attended to the instructions and suggestions which were contained in your Lordship's despatch and its accompanying Memorandum.

I have, &c.
(Signed) W. A. WHITE.

Inclosure 1 in No. 8.

Messrs. Fane and Wrench to Sir W. White.

Sir, *Constantinople, November 5, 1887.*

IN obedience to your instructions we have carefully studied the Marquis of Salisbury's despatch to your Excellency, marked Commercial, of the 9th August last, as well as the Memorandum which was therewith inclosed, and have prepared a fresh draft for a Commercial Convention with Turkey, amended, as far as possible, in the manner suggested by the Foreign Office.

In order to explain this new draft, which is herewith inclosed, we beg to consider seriatim the objections to the one already submitted by us, which are set forth in Lord Salisbury's despatch and its inclosure.

1. In regard to the general observations that the phraseology of our draft is based on the Treaty of 1861, and that it might be better to adopt language similar to that used in more recent Treaties, we venture to remind your Excellency that our instructions were to take the Treaty of 1861 as the basis of our proceedings.

Other Governments besides Her Majesty's have, we believe, announced their intention not to depart from the main lines of the old Treaty, and at our first sitting the Ottoman Delegates stated their readiness to adhere to the form of that Treaty.

Moreover, the language of the Treaty of 1861—which follows that of the Convention of 1838—is so well recognized in its interpretation that we thought it better to avoid using a fresh phraseology, the meaning and intention of which might perhaps be hereafter contested.

For the above-stated reasons, we followed generally the text of 1861, but we have now recast our draft, whenever we thought this might be safely done, according to the wording employed in the Greek Treaty, which has been furnished to us as a model.

2. With respect to the suggestion that it might be desirable to specify what international engagements are meant by the phrase used in the preamble of our draft "Ancient Treaties," we beg to represent that we purposely employed that expression, chiefly in order to avoid any allusion by name to the Capitulations, on the subject of which the Sublime Porte is particularly sensitive. Moreover, the phrase has the advantage of being perhaps comprehensive enough to include the Concessions made in perpetuity by the Convention of 1838—we mean especially the ones relating to the abolition of monopolies and to complete most-favoured-nation treatment. For the above-given reasons we have ventured to retain the phrase in our amended draft.

3. It will be seen that, according to the Foreign Office direction, we have in our amended draft, substituted the words "immediately and unconditionally," for the word "equally," which occurred in Article I, line 3 of print, of our former draft.

4. In reply to the observation that the first paragraph of our Article III seems to be in conflict with paragraph 1 of Article II, we beg to explain that the Porte has always reserved the right to temporarily prohibit for special reasons the exportation of any particular article of Turkish produce. This right is frequently exercised in respect to the cereals of districts where the crops have failed, and for many years past as regards the exportation, from any part of the Empire, of horses.

The object of the first paragraph of our Article III, which follows exactly the well-understood text of Article IV of 1861, is to provide that the prohibition to export any particular Article must be a general one; that is to say, that it cannot be imposed in

respect to Great Britain or British subjects unless it be equally imposed in respect to all other foreign countries or subjects. The first paragraph of our Article II, which also follows *verbatim* the text of 1861 (Article II) is intended to secure for British subjects full freedom to purchase any article of Turkish produce, whether for the purpose of internal trade, or (except in cases where there may be some general prohibition in respect to a particular article) of exportation.

With the above explanation we have ventured to retain unaltered the two paragraphs in question.

5. With respect to paragraph 2 of Article III, we followed literally the text of Article IV of 1861, except where it was necessary to introduce stipulations for the abolition of the existing export duty, and of the present duty on internal commerce by sea. These concessions to commerce are those which Her Majesty's Government principally insist upon in return for the higher import duties conceded by them in the Tariff, and for the better chance of obtaining those concessions we were specially anxious that our Article should bear the character of reciprocity.

Since, however, it is considered that this might be embarrassing in regard to British duties of inland revenue, there is no alternative but to recast the Article by omitting those parts of it which conceded to Turkey reciprocal treatment. This we have done by terminating paragraph 2 at the word "whatever," in line 5, and by erasing the word "reciprocal," in the penultimate line of paragraph 3 of print.

6. We have followed the Foreign Office instruction to insert the words "or may be," after the word "are," which occurs in lines 4 and 10 in the print of Article IV.

7. In reply to the observation that "the Tariff settled in the Conference between Mr. Wrench and the Ottoman Delegates is not alluded to in our draft Convention," we beg to call attention to paragraph 2 of our Article VI in that draft which provides as follows: "The Sublime Porte further engages. . . . . that the duties to be imposed on any article the produce or manufacture of the dominions or possessions of Great Britain, imported into the Ottoman dominions or possessions shall, in no case, exceed the rates of duty specified in the Tariff, which is annexed to and forms an integral part of the present Convention."

8. As desired by the Foreign Office, we have corrected paragraph 3 of Article VI by inserting after the words "import duty" in line 1 of print, the words "in Turkey," and before the words "Custom-house" the word "Ottoman."

9. We have replaced Article X of our former draft, which the Foreign Office considers is not sufficiently clear, by the following one:—

Art. X. No transit duty whatsoever shall be levied on British merchandize in its passage through Ottoman territory to other countries; reciprocally, no transit duty whatsoever shall be levied on Ottoman merchandize in its passage through British territory to other countries. The above stipulation shall take effect without distinction, whether such merchandize pass directly through the respective territories of the Contracting Parties, or whether, in the course of its transit through those territories, it is unloaded, deposited, and reloaded.

10. As regards Article XVII of our original draft respecting ships' manifests, we framed that Article with the design of meeting as far as was possible the views of the Ottoman Delegates as expressed in Article XIX of their "Projet de Traité," which Article follows almost word for word Article XI of the Anglo-Egyptian Agreement of the 3rd March, 1884.

We modified, however, the provisions of the Ottoman Article by stipulating for a delay of three days after a ship's departure from any port before it should be incumbent on the agent to deposit a declaration showing what goods (if any) had been taken on board at such port. We considered that term of delay necessary in order to allow for the cases of vessels loading, as frequently happens, up to the last moment, or even taking cargo on board from lighters after getting under weigh. In such cases it would clearly require a certain length of time before a complete manifest could be made out. As to the levying of a fine after the vessel's departure, this would not present any practical difficulty, for exporting British vessels are all regular traders visiting the various ports at frequent intervals. The ship on its return would therefore be held accountable if the agent had neglected to pay the fine.

Nevertheless, since reading the Foreign Office Memorandum, we have felt that the question of outgoing manifests was one requiring reconsideration, and we have, therefore, consulted on the subject the principal agents here of the steamers engaged in the export trade. We find that these gentlemen are unanimously averse to the introduction of any clause in a Commercial Convention which would bind, under penalty of a fine, ships

clearing from a Turkish port to furnish a manifest of merchandize taken on board at such port.

They say that such a formality would, in Turkey, expose shipping to many vexations and exactions.

In view of the objections thus raised by the ship agents, we think that, on the whole, it would be better to avoid, for the present, all references to outgoing manifests, and we have amended our draft accordingly.

11. Our Article XIX was drawn up also with the view of meeting half-way the demands of the Ottoman Delegates, as contained in Article XXI of their Draft. With respect to cases of alleged contraband, we struck out the Ottoman stipulations whereby British subjects would be subjected to additional penalties besides that of the confiscation of their condemned goods, and we also provided for the right of appeal to the Mixed Commercial Tribunals from all decisions of the Customs Administration on questions of contraband. But we saw no objections to that part of the Ottoman Article which stipulates that questions respecting the nature, &c., of goods shall be decided administratively ("par voie administrative") and not judicially, for that, indeed, was the practice followed in carrying out the provisions of the specific Tariff of 1861. The practice worked well enough, and it would seem unreasonable (under a specific Tariff, such as is contemplated in the present Convention) to confer on importers the Treaty right of arraigning at every turn the judgment of the Custom-house officers in respect to the nature and value of goods.

As respects the Foreign Office suggestion that the words "Customs Administration" should be substituted for the word "administratively," we beg to point out that by employing the former term we should surrender all control over the administration; whereas, by using the comprehensive expression "administratively," we should preserve the right of deputing a dragoman (as was the practice in carrying out the Tariff of 1861) to attend in cases where disputes arose between the importer and the Customs officers. We have therefore ventured to retain the original word.

12. The Foreign Office Memorandum takes exception to Article XX of our original Draft, stipulating merely that Her Majesty's Government should be "made acquainted" with the Customs-houses Regulations referred to in Articles V, XII, XVII, and XVIII prior to the signing of the Convention, on the ground that such a stipulation would appear to be of little value if the Porte may alter the Regulations at will when once the Convention has been signed.

But your Excellency will remember that, as reported in our despatch of the 25th June last, the Ottoman Delegates persistently refused to entertain our demand that the Turkish Customs Regulations should, before their promulgation, receive the sanction of Her Majesty's Government, and, indeed, we venture to think that no independent Government could be expected to allow such a concession to appear in the body of a Treaty. That being so, we had to turn the difficulty as best we could. The effect of the Article drafted by us would be to oblige the Porte to formulate the Customs Regulations before the signature of the Convention, and Her Majesty's Government would be able to withhold their signature until those Regulations were finally shaped in a manner approved of by them. Also, this advantage would be gained, that while some of the Regulations provided for in the Treaty of 1861 have never to this day been drawn up, those referred to in the present Convention would have to be prepared before the signing of the Convention. As regards the danger apprehended by the Foreign Office that the Porte might—as our Article stands—alter the Regulations at will after the signature of the Convention, we think that this might, to a considerable extent, be guarded against by recording in a Protocol an understanding that (as demanded in the Memorandum presented by us to the Ottoman Delegates, and which was inclosed with our despatch of the 25th June) proper notice shall be given in the local newspapers of all general instructions or Circulars about to be issued by the Central Customs Administration, and that our right is recognized of questioning the validity of such instructions or Circulars whenever these appear to deviate from the letter or spirit of the Convention or of the Tariff.

For the reasons explained above we have preserved unchanged Article XX of the original Draft.

13. According to the suggestion made in the Foreign Office Memorandum, we have recast the phraseology of the proposed Convention, so as to make the Convention apply to all the dominions and possessions of Her Majesty, instead of merely to the United Kingdom.

Following the instruction in Lord Salisbury's despatch, we have inserted a Colonial Article identical with Article XVII of the Anglo-Greek Treaty. Considering that other

nations accept that Article, we do not imagine that Turkey can, or will, decline to do so.

14. In obedience to the Foreign Office instructions, we have fixed by Article XXII, the duration of the Convention at ten years, with twelve months' notice, and, by the last Article, Article XXIII, have provided for its ratification and date of coming into effect.

We have, &c.

(Signed) EDMUND FANE.
WILLIAM H. WRENCH.

Inclosure 2 in No. 8.

Draft Convention.

HIS Imperial Majesty the Sultan, Emperor of the Ottomans, having manifested the desire to introduce by a special and Additional Act certain modifications in the clauses of the ancient Treaties concerning commerce and navigation, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, having adhered to that desire, their Majesties have agreed to conclude a Convention, intended, after the manner of the Agreements of 1838 and 1861, to determine the mode of applying the desired modifications, which it is understood are to remain in force only for the term of the present Convention; and it is further understood that the rights mutually possessed, now and for ever, by Turkey and Great Britain in virtue of the ancient Treaties shall not be impaired by the present Convention, except to the extent in which those rights may be modified in the manner and for the term of time about to be agreed upon.

To the above effect their Majesties have named as their Plenipotentiaries,

who, after having exchanged their full powers, found in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

All rights, privileges, and immunities which the Sublime Porte now grants or may hereafter grant to, or suffer to be enjoyed by, the subjects, ships, commerce and navigation of any other Foreign Power, shall be immediately and unconditionally granted to, and exercised and enjoyed by, the subjects, ships, commerce, and navigation of Great Britain.

In the same manner all rights, privileges, and immunities which Great Britain now grants or may hereafter grant to, or suffer to be enjoyed by, the subjects, ships, commerce, and navigation of any other foreign Power, shall be equally granted to, and exercised and enjoyed by the subjects, ships, commerce, and navigation of Turkey.

ARTICLE II.

The subjects of Her Britannic Majesty, or their agents, shall be permitted to purchase at all places in the Ottoman dominions and possessions (whether for the purpose of internal trade or of exportation), all articles, without any exception whatsoever, the produce or manufacture of the said dominions and possessions.

In the same manner, the subjects of His Imperial Majesty the Sultan, or their agents, shall be permitted to purchase at all places in Her Britannic Majesty's dominions and possessions (whether for the purposes of internal trade or of exportation), all articles, without any exception whatsoever, the produce or manufacture of the said dominions and possessions.

The Sublime Porte having, in virtue of previous Treaties, formally engaged to abolish all monopolies of agricultural produce, or of any other articles whatsoever, as well as all permits ("teskérés") from the local Governors, either for the purchase of any article, or for its removal from one place to another when purchased, any attempt to compel the subjects of Her Britannic Majesty to receive such permits from the local Governors shall be considered as an infraction of Treaties, and the Sublime Porte shall immediately punish with severity any Viziers or other officers who shall have been guilty of such misconduct, and shall render full justice to British subjects for all injuries or losses which they may duly prove themselves to have suffered thereby.

ARTICLE III.

No prohibition shall be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other which shall not equally extend to the exportation of the like article to any other country.

No charge or duty whatsoever will be demanded on any article the produce or manufacture of the Ottoman Empire purchased by British subjects or their agents, either at the place where such article is purchased, or in its transit, by land or by sea, from that place to the place whence it is exported, at which it will not be subjected to any export duty whatsoever. In order to give effect to this stipulation the Sublime Porte engages to abolish the existing duty on internal commerce by sea.

ARTICLE IV.

If any article of Turkish produce or manufacture be purchased by British merchants or their agents for the purpose of selling the same for internal consumption in Turkey, the said British merchants or their agents shall pay, at the purchase and sale of such articles, and in any manner of trade therein, the same duties that are or may be paid in similar circumstances by the most favoured class of Ottoman subjects, or of foreigners engaged in the internal trade of Turkey. In the same manner, if any article the produce or manufacture of Her Britannic Majesty's dominions and possessions, be purchased by Ottoman merchants or their agents for the purpose of selling the same for internal consumption in the dominions and possessions of Her Britannic Majesty, the said Ottoman merchants or their agents shall pay at the purchase and sale of such articles, and in any manner of trade therein, the same duties that are or may be paid in similar circumstances by the most favoured class of British subjects, or of foreigners engaged in the internal trade of the said dominions and possessions.

ARTICLE V.

Merchandize, the produce or manufacture of Her Britannic Majesty's dominions and possessions, carried on any railway in the Ottoman dominions shall be treated, as regards charges and facilities, and in every other respect, exactly in the same manner as the merchandize of the most favoured nation, or of the most favoured class of Ottoman subjects, and the rates of charges to be levied upon such merchandize shall be fixed by special regulations.

ARTICLE VI.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article the produce or manufacture of the dominions and possessions of His Imperial Majesty the Sultan, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Imperial Majesty of any article the produce or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than on articles produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of either of the Contracting Parties into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country.

The Sublime Porte further engages that, save as hereinafter excepted, it will not prohibit the importation into the Ottoman dominions and possessions of any article the produce or manufacture of the dominions and possessions of Her Britannic Majesty, from whatever place arriving, and that the duties to be imposed on any article the produce or manufacture of the dominions or possessions of Her Britannic Majesty, imported into the Ottoman dominions or possessions, shall in no case exceed the rates of duty specified in the Tariff which is annexed to and forms an integral part of the present Convention.

The import duty in Turkey shall be payable at the time when the merchandize, whether brought by sea or by land, leaves the custody of the Ottoman Custom-House, and shall be paid in gold or in silver, the gold medjidié being reckoned at 100 piastres, and the silver medjidié at 19 piastres.

ARTICLE VII.

The subjects of either of the Contracting Parties shall enjoy in the dominions of the other, a perfect equality of treatment with native subjects or with the subjects of the most-favoured nation in all that relates to keeping shops or establishments for business, the exercise of trade and industry, warehousing, bounties, custom-house facilities, and drawbacks.

ARTICLE VIII.

All articles which are or may be legally importable into the ports of the dominions and possessions of Her Britannic Majesty in British vessels, or in those of any other nation, may likewise be imported in Ottoman vessels, without being liable to any other or higher duties or charges, of whatever denomination, than if such articles were imported in British vessels or in those of any other nation, and reciprocally, all articles which are or may be legally importable into the ports of the dominions and possessions of His Imperial Majesty the Sultan in Ottoman vessels, or in those of any other nation, may likewise be imported into those ports, in British vessels, without being liable to any other or higher duties or charges, of whatever denomination, than if such articles were imported in Ottoman vessels, or in those of any other nation. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

ARTICLE IX.

No charge whatsoever shall be made upon any article the produce or manufacture of Her Britannic Majesty's dominions or possessions, whether in British or other ships, nor upon any article the produce or manufacture of any other foreign country belonging to British subjects or carried in British ships, when the same shall pass through the Straits of the Dardanelles or of the Bosphorus, whether such articles shall pass through those Straits in the vessels that brought them, or shall have been transhipped to other vessels, or whether, after having been sold for exportation they shall, for a limited time, be landed, in order to be placed in other vessels for the continuance of their voyage. In the latter case, the articles in question, shall be deposited in the warehouses of the custom-house under the conditions prescribed by Article XII of the present Convention.

ARTICLE X.

No transit duty whatsoever shall be levied on British merchandize in its passage through Ottoman territory to other countries; reciprocally, no transit duty whatsoever shall be levied on Ottoman merchandize in its passage through British territory to other countries. The above stipulation shall take effect without distinction, whether such merchannize passes directly through the respective territories of the Contracting Parties, or whether, in the course of its transit through those countries, it is unloaded, deposited, and reloaded.

ARTICLE XI.

No duties or charges of tonnage, harbour, pilotage, light-house, quarantine, anchorage, quay, or other similar or corresponding duties or charges of whatever nature, or under whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the dominions and possessions of one of the Contracting Parties on the vessels and merchandize of the other country which shall not equally and under the same conditions be imposed, in the like cases, upon national vessels and merchandize, or upon the vessels and merchandize of any other nation.

It is understood that no duties or charges of the above description shall be imposed in the Ottoman dominions upon British vessels and merchandize, without as heretofore, the consent of the British Government having first been obtained thereto.

ARTICLE XII.

In the principal ports and at the principal frontier stations, the Ottoman Government undertakes to establish, to the extent demanded by the requirements of commerce, bonded warehooses, wherein imported articles that are in transit, or articles intended for exportation, can be deposited, subject to the payment of the charge for warehousing fixed by the regulations of the custom-house; and in places where there shall not exist any such warehouses, it shall be permitted to the owners (or their agents) of such articles to deposit the same in private magazines under the surveillance of the Custom-house authorities.

The length of time wherein such articles may remain deposited shall not exceed two years, during which time the owners of them (or their owners' agents) shall be at

liberty to export them without paying any import or export duty. On the termination of the said period of two years, the articles in question shall be subjected to the entire amount of the import duty chargeable upon them.

ARTICLE XIII.

All vessels, which, according to British law, are to be deemed British vessels, and all vessels which, according to Ottoman law, are to be deemed Ottoman vessels, shall, for the purposes of this Convention be deemed British and Ottoman vessels respectively.

ARTICLE XIV.

The Firmans required for British merchant vessels, on passing through the Dardaneiles and the Bosphorus, shall always be delivered in such manner as to occasion to such vessels the least possible delay.

ARTICLE XV.

An exception to the stipulations of Articles II and VI of the present Convention, and to the provisions of previous Treaties concerning the abolition of monopolies, shall be made in regard to tobacco, in any shape whatever, and also in regard to salt, matches, playing cards, and paper for cigarettes, which articles shall cease, during the term of this Convention, to be included among those which the subjects of Her Britannic Majesty are permitted to import into the Ottoman dominions.

British subjects, however, or their agents, buying or selling tobacco, salt, matches, playing cards, and paper for cigarettes for consumption or use in Turkey, shall be subject to the same regulations, and shall pay the same duties as the most-favoured Ottoman subjects trading in the articles aforesaid.

No duty whatsoever shall be levied on the articles above-mentioned, when exported from Turkey by the subjects of Her Britannic Majesty.

British subjects, shall, nevertheless, be bound to declare the quantity of tobacco, salt, matches, playing cards, and paper for cigarettes, thus exported, to the proper Custom-house authorities, who shall have the right to watch over the export of those articles, without, however, thereby being entitled to levy any tax thereon on any pretence whatsoever.

ARTICLE XVI.

The importation into Turkey, except in transit for other countries, of gunpowder, dynamite, and all other explosive materials of a similar nature, and also of cannon, arms of war, and military stores, is formally prohibited. The transit of such articles through the Ottoman dominions, whether by land or sea, shall be under the surveillance of the Ottoman Government. Fowling-pieces, and ornamental or fancy weapons, as also small quantities of gunpowder for sporting, reserved for private use, shall not be subjected to the stipulations of the present Article.

ARTICLE XVII.

The captain or agent of the owners of British merchant-vessels with merchandize on board destined for the Ottoman Empire shall be obliged, within a period not exceeding thirty-six hours after their arrival at the port to which they are bound, to deposit in the custom-house of the said port, two copies of the cargo manifest, certified by him to be true copies of the original. The original manifest shall be presented at the same time with the copies, at the custom-house, in order to be compared with them.

Excess or deficit resulting from the comparison of the manifest with the cargo, will entail the application of the fines specified in the Customs Regulations.

The Ottoman Administration of the Customs also reserves the right of enacting Regulations in order to prevent fraudulent and contraband practices in regard to the introduction and exportation of merchandize, and also in regard to the transit of merchandize by port, railway, or any other channel, provided always that such Regulations shall not encroach upon the rights secured to British subjects in virtue of the present Convention or of other international engagements.

If any British merchant-vessel stops in an Ottoman port, or cruizes close to the Ottoman shores, without any reasonable cause for so doing, and so as to be suspected by the Custom-house of illicit intentions, the Custom-house authorities shall be at liberty to concert measures with the nearest British Consular authority for the purpose of searching such vessel, but no search shall take place without the presence thereat of the said Consular authority.

ARTICLE XVIII.

The owners of British merchandize imported into the Ottoman dominions and possessions, or their agents, shall be required, on the arrival or departure of such merchandize, to furnish the Custom-house with a declaration containing all the information necessary for the application of the duties chargeable on such merchandize, or for statistical purposes.

Besides the nature, sort, quality, place of departure, and destination of such merchandize, the said declaration shall state the weight, number, measure, or value thereof, according to the case, and in as far as it shall be possible to do so; and in cases of dispute as to the accuracy of the said information, the Custom-house may demand to see the documents, such as bills, correspondence, &c., which usually accompany the consignment of merchandize.

Any refusal to make the said declaration either on arrival or departure, any unnecessary delay in making it, or any difference less or more, not satisfactorily accounted for, which may exist between such merchandize and the description given in said declaration, shall entail the application of the fines provided by the Custom-house Regulations in each of the specified cases.

ARTICLE XIX.

In Turkey, disputed questions respecting the nature, sort, class, origin, and value of merchandize, shall be decided administratively, and not judicially.

Nevertheless, in any case of alleged contraband where a British subject is the defendant, the said British subject shall have the right to appeal to the Mixed Commercial Tribunal against the decision of the Administration. Merchandize legally condemned as contraband, shall be confiscated to the Ottoman Treasury.

ARTICLE XX.

It is understood that before the signature of the present Convention, Her Majesty's Government shall be made acquainted with the Regulations referred to in the foregoing Articles V, XII, XVII, and XVIII.

ARTICLE XXI.

The stipulations of the present Convention shall be applicable, as far as the laws permit, to all the colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to:—

India;
The Dominion of Canada;
Newfoundland;
The Cape;
Natal;
New South Wales;
Victoria;
Queensland;
Tasmania;
South Australia;
Western Australia;
New Zealand;

Provided always, that the stipulations of the present Convention shall be made applicable to any of the above-named colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative at the Sublime Porte to the Ottoman Minister for Foreign Affairs, within one year, from the date of the exchange of the notifications of the present Convention.

ARTICLE XXII.

The present Convention shall come into force thirty days after the exchange of the ratifications, and shall remain in force for ten years, and thereafter until the expiration of a year from the day in which one or other of the Contracting Powers shall have repudiated it.

ARTICLE XXIII.

The present Convention shall be ratified by the two Contracting Parties, and the ratifications thereof shall be exchanged at Constantinople in two calendar months or sooner if possible.

In faith whereof, &c.

No. 9.

Sir W. White to the Marquis of Salisbury.—(*Received December* 19.)

(No. 153. Commercial.)

My Lord, *Constantinople, December* 10, 1887.

I HAVE reason to believe that the Sultan has devoted much attention quite lately to the financial condition of his Empire, and in connection with this important subject His Imperial Majesty has acquired the conviction that it is extremely desirable to press on the negotiations with foreign Powers as regards the introduction of a new General Tariff for the Empire, these having been very slack lately.

As the chief difficulties which presented themselves on the Tariff question came from the demands insisted upon by the Government of Austria-Hungary, the Sultan spoke himself on the subject to Baron Calice at the last audience he gave his Excellency. Partly owing to this Imperial interference these Tariff negotiations have been revived since, and an agreement has been arrived at on about twenty important articles out of forty that awaited settlement in the negotiations with Austro-Hungary, which are those which presented hitherto the greatest difficulty.

It is hoped that the duties on the articles still remaining may be agreed upon before very long, in which case the actual Treaty negotiations could be proceeded with.

Besides ourselves and Germany I believe that the new Tariff has been accepted by the Delegate of the French Republic, and although there are still a few points to settle with Italy and Russia, they are of such a nature as not to present any great difficulties.

The question will then arise, will those countries whose Treaties have not yet expired consent to fix an earlier date for the application of the new Tariff than the one at which Turkey would regain her full liberty if these were to run their course.

I am indebted to Mr. Consul Wrench for the accompanying Table, giving the dates at which these different Treaties will lapse in the ordinary course.

I have, &c.

(Signed) W. A. WHITE.

Inclosure in No. 9.

LIST of Commercial Treaties concluded between Turkey and other Countries, and Dates of Expiration thereof.

Names of Powers.	Date of Treaty.	Date of Expiration.
Austria-Hungary	May 22, 1862	On or about 22nd May, 1890.
Belgium	October 10, 1861	,, 3rd March, 1890.
Denmark	March 13, 1862	,, 3rd March, 1890.
France	April 29, 1861	29th April, 1889.
Great Britain	April 29, 1861	Denounced.
German Zollverein	March 20, 1862	On or about 20th March, 1890.
Hanse Towns	September 27, 1862	,, 27th September, 1890.
Holland	February 25, 1862	,, 25th February, 1890.
Italy	July 10, 1861	,, 1st October, 1889.
Portugal	February 23, 1868	,, 23rd February, 1896.
Russia	February 3, 1862	Expired.
Spain	March 13, 1862	On or about 13th March, 1890.
Sweden and Norway	March 5, 1862	,, 13th March, 1890.
United States of America	February 25, 1862	Denounced.